

# URGENT ACTION

## LAWYER INTIMIDATED DURING TRIAL OF POLICEMEN

**Chilean lawyer Karina Riquelme was followed and surveilled by police intelligence agents because of her work as a defender of Mapuche Indigenous rights.**

On the night of 10 July in the city of Temuco (South), two men aimed a green laser for several minutes through the window of lawyer **Karina Riquelme's** apartment, where she lives with her 6-year-old daughter. The men left when a colleague of Riquelme arrived at her home. The day before, when Karina Riquelme was in a hearing, she noticed the intimidating presence of strangers whom she identified as Chilean police intelligence agents.

Karina Riquelme reported to Amnesty International the presence of several agents both inside and outside the courtroom who photographed her and another lawyer. When Riquelme in turn photographed these individuals, one of the agents approached her angrily and posed threatening questions. The next day, one of the agents entered the courtroom posing as a member of the public. When the presiding judge asked this individual to identify himself, he muttered unintelligibly and left the courtroom.

This incident occurred in a hearing in the investigation of the Executive Director of Police Intelligence and other police intelligence agents in the case known as 'Operation Hurricane.' The police officials are being investigated for alleged obstruction of justice, falsification of documents and other crimes related to efforts to accuse Mapuche community members from Araucanía for illicit terrorist association (case number RIT 410-2018).

A decision by the Chilean Supreme Court in 2016 (Decision 7641-2016) ordered the police and the Public Prosecutor's Office not to interfere with the free exercise of legal activities related to criminal investigations, including through the presence of police personnel in spaces where lawyers carry out their work. This decision was made after Karina Riquelme and her colleague were followed and photographed in 2016.

The National Institute of Human Rights, an independent public organization that defends human rights in Chile, presented a formal complaint to the Second Police Precinct of Temuco after the recent events. Karina Riquelme fears that these threats to her personal security could turn into violent attacks.

### **Please write immediately in Spanish or your own language:**

- Calling on the Chilean authorities to take all necessary measures to ensure that Karina Riquelme can freely and safely carry out her work as a lawyer and a defender of Mapuche Indigenous People rights, in consultation with Karina Riquelme and with her consent; and
- Ensure that the police and the Public Prosecutor's Office do not interfere with the free exercise of legal activities as per Supreme Court decision 7641-2016.

### **PLEASE SEND APPEALS BEFORE 19 OCTOBER 2018 TO:**

Interior and Public Security Minister

Mario Fernández Baeza

Palacio de La Moneda S/N

Santiago, Chile

Twitter: @min\_interior

Email: rfernandez@interior.gov.cl

Salutation: **Dear Minister**

Director of the Chilean National Police

Hermes Soto

Av. Bernardo O'Higgins 1196

Santiago, Chile

Twitter: @Carabdechile

Salutation: **Dear Director**

**And copies to:**

CID-Sur

Claro Solar 780

Temuco, Chile

Email: centroidsur@gmail.com

FB: cidsuraraucaia

**Also send copies to diplomatic representatives accredited to your country.** HIS EXCELLENCY MR ROLANDO DRAGO, Embassy of Chile, 37-41 Old Queen Street SW1H 9JA, 020 7222 2361, Fax 020 7222 0861, embachile@embachile.co.uk, <http://chileabroad.gov.cl/reino-unido>

**Please check with your section office if sending appeals after the above date.**

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

In August 2016, soon after lawyer Karina Riquelme Viveros agreed to defend a Mapuche individual in a high-profile terrorism law case, men in civilian clothing repeatedly surveilled and photographed Riquelme and her colleague in and around the courts. Two vehicles that these men were using belonged to the Chilean National Police and a criminal investigation unit, respectively, according to license plate records.

Karina Riquelme Viveros and her colleague filed for a protection order against the Araucanía Zone 9 Chief of Police and Chile's Police Investigation Prefect before the Temuco Court of Appeals to protect their right to personal liberty. On 1 October 2016, the Court of Appeals denied the protection order, ruling that the actions of the police officials could be considered to be part of their standard behaviour in court. On 19 October 2016 Chile's Supreme Court of Justice upheld the denial of the protection order, but warned the Public Prosecutor's Office not to interfere with the work of Karina Riquelme and her colleague in investigations of police officials, and that the police must act in accordance with the law and with specific instructions from relevant authorities in order not to interfere with the lawyers' work. The investigation carried out as part of the protection order request revealed that Karina Riquelme and her colleague were the subjects of two open criminal investigations. On 5 January 2017, the presiding judge closed both investigations on the grounds that the acts being investigated did not constitute crimes.

In April 2018, Karina Riquelme received information showing that her telephone number was on a list of over 60 numbers that were tapped by the police in early 2017 under the Chilean Intelligence Law. During part of this period she was providing legal defence in several ongoing cases against Mapuche individuals.

Name: Karina Riquelme

Gender m/f: Female

UA: 134/18 Index: AMR 22/8791/2018 Issue Date: 18 July 2018